



IPW

Docket No.: 050195-0384

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 20277
	:	
Takaaki ABE, et al.	:	Confirmation Number: 3549
	:	
Application No.: 10/659,257	:	Group Art Unit: 1746
	:	
Filed: September 11, 2003	:	Examiner: K. A. O'Neill
	:	
For: LAMINATE SHEET, LAMINATE BATTERY AND RELATED METHOD		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of February 16, 2006 wherein restriction has been required, Applicant hereby elects Group II (claims 3-14) with traverse for prosecution in the above-identified application.

The Examiner characterized the relationship between Group I and Group II as an intermediate-final product. The Examiner's characterization is in error. The correct relationship is subcombination-combination, which requires two-way distinctness to restrict. As explained in the MPEP § 806.04(b), typically the intermediate loses its identity in the final product. However, in the instant claims, the battery packaging laminate sheet of Group I, does not lose its identity in the final product of Group II, the battery element internally sealed in a laminate sheet. Groups I and II are clearly not related as intermediate-final product. Thus, reconsideration of the restriction requirement is respectfully requested.

10/659,257

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Bernard P. Codd

Registration No. 46,429

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 BPC:MWE
Facsimile: 202.756.8087
Date: March 16, 2006

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as our correspondence address.**